

REMARKS

Claims 1-23 are pending. Claim 1 stands rejected and claims 3, 4, 6, 8, 9, 11, 12, 14, 15, 17, 18, 20, 21, and 23 are withdrawn from consideration by the Examiner.

Applicant acknowledges with appreciation the indication that claims 2, 5, 7, 10, 13, 16, 19 and 22 are allowed.

Restriction Requirement

Applicants understand that the Examiner has made the Election/Restriction requirement final. Applicants also understand that the Examiner now considers claim 1 to be a generic claim based on the statement "even though the claim 1 is genetic [sic] to all the species ... the restriction is still required to elect a single species for prosecuting the application." Office Action dated July 31, 2002 at page 3.

Rejections Under 35 U.S.C. § 102

At page 2, paragraph 3, the Office Action sets forth, "claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Akira (JP 56107753)." Applicant respectfully submits that this rejection is overcome by the amendments to the claims for the reasons set forth below.

Applicant's invention, as recited in claim 1 (as amended), includes features which are not disclosed or suggested by Akira, namely:

... an elastic member made of conductive resin, including ... a first portion forming an electrical conductor disposed between said frame and said grounding terminal; and a second portion disposed between said frame and said housing. (Emphasis added)

These features are described in applicant's specification, for example, at page 7, line 25 through page 9, line 2.

According to claim 1, an elastic member made from a conductive resin includes i) a first portion forming an electrical conductor which is disposed between the frame of a motor and a grounding terminal and ii) a second portion disposed between the motor frame and the housing that accommodates the motor.

Akira is relied upon as "[disclosing] a device comprising: a motor having a frame (5) of which surface is conductive; a grounding terminal (9) disposed at a place facing the frame; and an elastic member made of conductive resin (11 and 13) and disposed between the frame and said grounding member." Office Action at page 2, paragraph 3.

Akira shows in Fig. 1, a grounding terminal between a rotary electric apparatus main body and a mounting base 7 using a rubber vibration insulator 6 comprising a conductive rubber body 11 at the end of insulator 6. The electrical connection between the end brackets 5 of the main body and the mounting base 7 is formed via a metal ring 12, conductive portion 11 and a metal ring 10 (see Fig. 2). The conductive rubber body is arranged, however, within a fixing means for providing a vibration resistant mechanical connection between the main body and the mounting base. Akira does not disclose or suggest, however, that the conductive rubber body is disposed between the frame as such and a grounding terminal. Furthermore, Akira does not disclose or suggest that the second portion of the elastic member is disposed between the frame and a housing for accommodating the motor.

In contrast, applicant's invention, as recited in amended claim 1, requires that an elastic member made from a conductive resin includes i) a first portion forming an electrical conductor which is disposed between the frame of a motor and a grounding terminal and ii) a second portion disposed between the motor frame and the housing that accommodates the motor.

It is because applicant has included the features of an elastic member made from a conductive resin which includes i) a first portion forming an electrical conductor which is disposed between the frame of a motor and a grounding terminal and ii) a second portion disposed between the motor frame and the housing that accommodates the motor, that applicant is able to better dampen impact and vibration and provide a lower impedance connection to reduce radio interference. Akira does not achieve these advantages because Akira does not have an elastic member made from a conductive resin that includes i) a first portion forming an electrical conductor which is disposed between the frame of a motor and a grounding

terminal and ii) a second portion disposed between the motor frame and the housing that accommodates the motor.

For the reasons set forth above, claim 1 is not subject to rejection under 35 U.S.C. § 102(b) as being anticipated by Akira. Therefore, applicant respectfully requests that the rejection of claim 1 be withdrawn and the claim allowed.

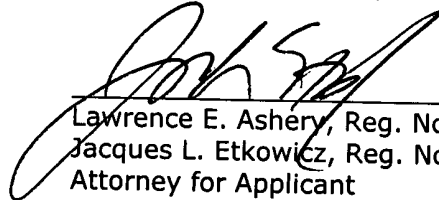
Furthermore, as claims 4, 9, 12, 15 and 18 ultimately depend on claim 1, they are likewise allowable for at least the reasons set forth above with respect to claim 1. Therefore, applicant respectfully requests that claims 4, 9, 12, 15 and 18 be reconsidered and allowed.

Applicant amended claim 4 to delete a feature that is now included in amended claim 1.

In view of the above, and further in view of the Examiner's acknowledgement that claim 1 is generic, applicant respectfully requests that the claims that are subject to restriction by the Examiner be examined and allowed.

In view of the amendments and remarks set forth above, applicant submits that the applicant is in condition for allowance which action is respectfully requested.

Respectfully Submitted,



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Enclosure:

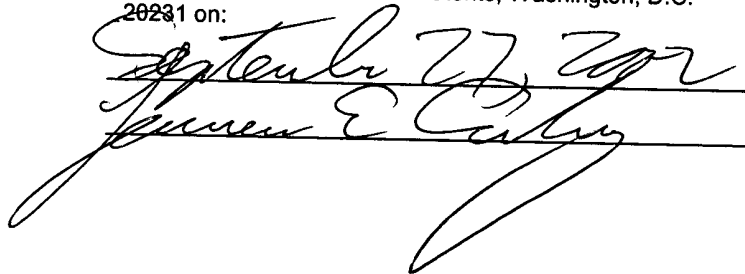
Version with markings to show changes made

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